

United States District Court

NORTHERN

DISTRICT OF

UNITED STATES OF AMERICA

V.

COMPLAINT

KENNETH SANTODOMINGO

a.k.a. Juan Goel Pagan

a.k.a. Juan Joel Pagan

CASE NUMBER: 3-13-MJ- 066

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 28, 2013 in Dallas County, in the Northern District of Texas defendant(s) did,

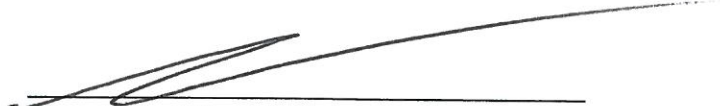
knowingly aim a laser pointer at an aircraft,

in violation of Title 18 United States Code, Section(s) 39A.

I further state that I am a(n) Special Agent of the Federal Bureau of Investigation (FBI) and that this complaint is based on the following facts:

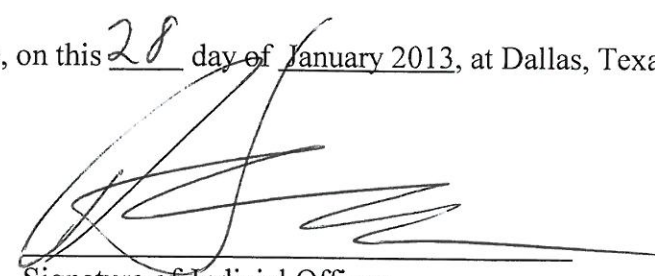
See attached Affidavit of Special Agent, Mark W. Sedwick, FBI, which is incorporated and made a part hereof by reference.

Continued on the attached sheet and made a part hereof: XX Yes No


Signature of Complainant
MARK W. SEDWICK
Special Agent, FBI

Sworn to before me and subscribed in my presence, on this 28 day of January 2013, at Dallas, Texas.

DAVID L. HORAN
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

I, Mark W. Sedwick, am a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Dallas, Texas office. I am assigned to the Safe Street Violent Crime Task Force (SSVCTF) and, in addition to other duties, investigate criminal matters involving aircraft to include aiming a laser pointer at aircraft in flight. I have been an FBI agent for 14 years and have been assigned to the task force since November 2013. This affidavit is made in support of a complaint and arrest warrant for Kenneth Santodomingo, date of birth XX/XX/1990, who has used the alias Juan Joel Pagan, date of birth XX/XX/1983. This affidavit is based on my personal knowledge and information provided to me by other law enforcement officers that participated in this investigation. Since this affidavit is being submitted for the limited purpose of securing a complaint, I have not included each and every fact known to me concerning this investigation.

OVERVIEW

Kenneth Santodomingo, a/k/a Juan Joel Pagan, is the subject of a federal investigation involving the following federal criminal crime:

Aiming a laser pointer at aircraft, in violation of 18 U.S.C. § 39A.

Based on the following, I have probable cause to believe Kenneth Santodomingo committed the described offense of aiming a laser pointer at an aircraft.

FACTS

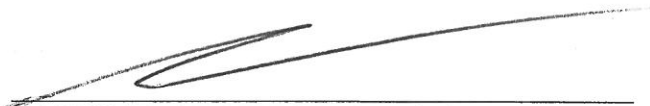
On January 28, 2013 at approximately 4:08 a.m., two uniformed Dallas Police Department (DPD) officers were operating a DPD helicopter ("Air 1") while performing official duties. As the helicopter was in flight over the area of 8000 Umphress, Dallas,

Texas, in the Dallas Division of the Northern District of Texas, the cockpit of the helicopter was illuminated by a laser pointer. The illumination occurred approximately four times, and the intensity of the light obscured the vision of the pilot and impaired the pilot's ability to control the aircraft. The DPD officers in the helicopter recorded the incident with both regular light and FLIR. The DPD officers in the helicopter pinpointed the location where the laser originated and directed ground officers to 7719 Lake June Road, Dallas, Texas, where the laser light was originating from the back yard. When officers knocked on the front door of the residence, Santodomingo opened the front door but could not open the burglar bars around the door. Santodomingo was only wearing dark blue short style underwear. Officers explained to Santodomingo that an individual was observed illuminating the DPD helicopter with a laser pointer from the back yard and then was seen running into the house through the back door. Santodomingo originally stated he did not know what the officers were talking about, but when the officers told him that the incident had been recorded, Santodomingo admitted to pointing the green laser light at the helicopter. Santodomingo stated he wanted to see how far it would go. Santodomingo told the officers the laser pointer was in the front pocket of the suitcase in the living room where the officers were speaking with him. The officers obtained the laser pointer from Santodomingo.

The video taken by the DPD helicopter showed that the individual using the laser in the backyard fit the description of Santodomingo and appeared to be wearing the same short style underwear at the time of the offense that Santodomingo was wearing when talking to officers.

CONCLUSION

Based on the above information, Affiant believes there is probable cause to believe that Kenneth Santodomingo, a/k/a Juan Joel Pagan, knowingly aimed a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, a violation of 18 U.S.C. § 39A.



MARK W. SEDWICK, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to me this 28 day of January, 2013.



DAVID L. HORAN
United States Magistrate Judge